

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

|                            |   |                   |
|----------------------------|---|-------------------|
| RONDA A. METTEY,           | : | NO: 1:02-CV-00398 |
|                            | : |                   |
| Plaintiff,                 | : |                   |
|                            | : | <b>ORDER</b>      |
| v.                         | : |                   |
|                            | : |                   |
| AMERICAN FAMILY MUTUAL     | : |                   |
| INSURANCE COMPANY, et. al, | : |                   |
|                            | : |                   |
| Defendants.                | : |                   |

This matter is before the Court on the parties' Joint Motion for Modified Case Schedule (doc. 13).

The parties indicate that the reason for this motion is the chronic medical condition of Defendants' counsel. Having reviewed this matter, the Court finds the parties' request well-taken. Accordingly, the Court VACATES the preceding pretrial Order (doc. 8), and RESETS this matter. According to the following schedule:

**I**  
**PROCEEDINGS FOR TRIAL**

- (A) Any motions will be filed by February 1, 2004. Motions must be filed by this date, and any motions filed after this date may be subject to a motion to strike. Parties are referred to Local Rule 7.2, which restricts letters to the Court. Correspondence with the Court should be by motion, except as expressly permitted by the Rule.
- (B) Discovery will be completed by January 1, 2004. All matters relating to discovery will be referred to the United States Magistrate Judge to whom the case has been assigned.

- (C) A final pretrial conference has been tentatively scheduled for March 9, 2004, at 2:00 P.M.
- (D) Trial has been tentatively scheduled for April 20, 2004, on an on-deck basis. On-deck trials will be released late Thursday afternoon the week before the scheduled trial date.
- (E) This is expected to be a three-day jury trial.
- (F) Proposed jury instructions are to be submitted three business days before the trial date.
- (G) Exhibits are to be submitted ten days prior to trial.
- (H) Any motions or entries for extensions of time must recite the final pretrial date and trial date.
- (I) Plaintiff's expert witness shall be identified and the expert's report provided to Defendant by November 3, 2003. Defendants' expert witness shall be identified and the expert's report provided to Plaintiff by December 1, 2003.
- (J) The names and addresses of witnesses for trial and copies of the exhibits to be introduced at trial shall be exchanged by the parties before February 2, 2004.

## II ORDERING OF TRANSCRIPTS

Any request for daily copy of a trial should be made to Mary Ann Ranz, the Judge's Court Reporter, at the time of the final pretrial conference. Under no circumstances will the Judge allow a daily transcript or an over-night transcript if daily copy is not arranged in advance of trial.

## III STATUS REPORTS

It will not be necessary for counsel to advise the Court in writing on the status of this case.

**IV**  
**ADDITIONAL CONFERENCES**

If the need for the Court's assistance arises, counsel may make a joint appointment for additional conferences.

**V**  
**TRANSFERRAL**

In accordance with Western Division Rule No. 1 and Rule 53, Federal Rules of Civil Procedure, this matter may be transferred to the United States Magistrate Judge for disposition or for him to serve as Master.

SO ORDERED.

Dated: September 23, 2003      s/ S. Arthur Spiegel  
S. Arthur Spiegel  
United States Senior District Judge